

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA, *ex rel.*  
SATISH K. DESHPANDE, M.D., and the  
STATE OF NEW YORK, *ex rel.*  
SATISH K. DESHPANDE, M.D.,

Plaintiffs,

vs.

THE JAMAICA HOSPITAL MEDICAL CENTER; TJH  
MEDICAL SERVICES, P.C.; MEDISYS  
MANAGEMENT, L.L.C.; ANTHONY DIMARIA,  
M.D.; and THOMAS SANTUCCI, JR., M.D.,

Defendants.

Civil Action No.  
13-CV-4030

(Johnson, J.)  
(Orenstein, M.J.)

**JOINT STIPULATION OF  
DISMISSAL**

-----X

WHEREAS, Relator Satish Deshpande filed the above-referenced action in the United States District Court for the Eastern District of New York, in which he asserted claims on behalf of the United States pursuant to the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3729 *et seq.*;

WHEREAS, in accordance with 31 U.S.C. § 3730(b), Relator's complaint was deemed sealed for a period of at least sixty days from the date of service of Relator's disclosure material on the United States, and the seal and intervention deadline were subsequently extended by Court order;

WHEREAS, on September 7, 2017, the United States filed its Notice of Partial Intervention in this action and on September 12, 2017, the Court entered an Order unsealing this matter;

*Joint Stipulation of Dismissal – 13-CV-4030 (Johnson, J.)*

WHEREAS, Relator and the United States entered into a Settlement Agreement on August 31, 2017 (“Settlement Agreement”) with, among others, defendants Jamaica Hospital Medical Center and TJH Medical Services, P.C.; Medisys Management, L.L.C. (collectively “Medisys”);

WHEREAS, in the Settlement Agreement, the United States and Relator agreed that when Medisys made the initial payments toward the settlement amounts, the United States would submit a stipulation of dismissal as to the claims against Medisys;

WHEREAS, Medisys has made its initial payments pursuant to the Settlement Agreement;

WHEREAS, Relator seeks to voluntarily dismiss all remaining claims in this action;

WHEREAS, the United States consents to Relator’s dismissal of all remaining claims in this action;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED between Relator’s counsel and the undersigned counsel for the United States that:

1. All claims in this action are dismissed with prejudice as to Relator.
2. Claims designated as Covered Conduct in the Settlement Agreement are dismissed with prejudice as to the United States.
3. All other claims contained in Relator’s Complaint are dismissed without prejudice as to the United States.

*Joint Stipulation of Dismissal – 13-CV-4030 (Johnson, J.)*

BRIDGET M. ROHDE  
Acting United States Attorney  
Eastern District of New York

Dated: Brooklyn, New York  
September 14, 2017

By: /s/ Kenneth M. Abell  
Kenneth M. Abell  
Assistant United States Attorney  
271 Cadman Plaza East  
Brooklyn, New York 11201

Dated: White Plains, NY  
September 14, 2017

YANKWITT LLP  
140 Grand Street, Suite 501  
White Plains, New York 10601

By: /s/ Kathy S. Marks  
KATHY S. MARKS  
Attorney for Relator  
(914) 686-1500

**SO ORDERED**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
HONORABLE STERLING JOHNSON  
United States District Judge